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Attorney for *Plaintiff Peter McNeff*

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA-OAKLAND

PETER MCNEFF, an individual,  
Plaintiff,

vs.

THE CITY OF PLEASANTON, a City  
within the State of California;  
THE PLEASANTON POLICE  
DEPARTMENT, a Division of  
defendant City;  
DAVID SWING, an individual;  
LARRY COX, an individual;  
BRIAN DOLAN, an individual; and  
DOES 1-10, individuals;

Defendants.

Case No.: 3:23-cv-00106-AMO

Honorable Araceli Martinez-Olguin

STIPULATION TO CONTINUE MOTION  
HEARING; ~~PROPOSED~~ ORDER  
MODIFIED

It is stipulated by and between the parties, Plaintiff Peter McNeff  
("McNeff") and defendants THE CITY OF PLEASANTON, a City within the

*McNeff v. City of Pleasanton, et al.*  
**STIPULATION**

United States District Court- NDCA

1 State of California; THE PLEASANTON POLICE DEPARTMENT, a Division  
2 of defendant City; DAVID SWING, an individual; LARRY COX, an individual;  
3 BRIAN DOLAN, an individual (“Defendants”) as follows:

- 4 1. McNeff filed this action on January 10, 2023;
- 5 2. Defendants filed a Second Motion to Dismiss on May 15, 2023
- 6 3. The hearing on the Defendants’ Motion to Dismiss is currently set for  
7 June 22, 2023;
- 8 4. Defendants set the motion date prior to checking the availability of  
9 Plaintiff’s counsel. Plaintiff’s counsel will be on a prepaid family trip to  
10 the East Coast from June 21-29, 2023.
- 11 5. The parties request the hearing on Defendants’ Motion to Dismiss be  
12 continued to July 20, 2023 or a date thereafter that is convenient for the  
13 Court.

14 It is so stipulated.

15 DATED: June 5, 2023

16 /s/Karren Kenney  
17 KARREN KENNEY  
18 *Attorney for Plaintiff*  
19 PETER MCNEFF

20 /s/Nicholas Grether  
21 NICHOLAS GREETHER  
22 *Attorney for Defendants*  
23 The City of Pleasanton, The Pleasanton  
24 Police Department, David Swing, Larry  
25 Cox, and Brian Dolan

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**STIPULATION**

United States District Court- NDCA

**MODIFIED** Order


Based on the stipulation of the parties, and GOOD CAUSE

APPEARING:

The hearing on the Defendants' Motion to Dismiss is continued from June 22, 2023 to ~~July 20, 2023.~~  
September 14, 2023.

IT IS SO ORDERED.

DATED: June 6, 2023

  
\_\_\_\_\_  
Judge Araceli Martínez-Olguín  
United States District Court  
Judge

*McNeff v. City of Pleasanton, et al.*  
**STIPULATION**

United States District Court- NDCA